

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

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Caption in Compliance with D.N.J. LBR 9004-1(b)

In the Matter of  
Destribats Campbell Staub & Schroth, LLC  
247 White Horse Ave.  
Hamilton, NJ 08610  
609.585.2443  
Anthony J. Destribats  
Attorney for Creditor  
*The Woods at Princeton Walk  
Condominium Association, Inc.*

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Case No.: 19-17738-MBK  
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Chapter: 13  
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Judge: Michael B. Kaplan  
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Hearing: June 11, 2019, 9:00 am  
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In Re:

Patricia Britton

Debtor  
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**OBJECTION TO CONFIRMATION OF PLAN**


The Woods at Princeton Walk Condominium Association, Inc. (the "Association"), by and through its counsel, Anthony J. Destribats, Partner at Destribats Campbell Staub & Schroth, LLC, states the following by way of objection to the Debtor's Plan:

1. The Association is currently listed as a secured creditor of the Debtor's proposed Plan, which was filed on or about April 17, 2019;
2. The Association is a secured creditor of the Debtor pursuant to certain condominium assessment liens filed against the Debtor's real property located at 304 Canterbury Way, Princeton, New Jersey;
3. The assessment liens filed by the Association against the Debtor total \$48,358.14.
4. The Debtor, however, in her proposed Plan listed the Association as a secured creditor in the amount of only \$13,000.00;

5. Furthermore, the Debtor's proposed Plan alleges that monthly payments shall be paid to the Association, in part, through future earnings;
6. Upon information and belief, the Debtor is unemployed and, therefore, is not presently earning any wages;
7. Pursuant to U.S. Bankruptcy Code ("Code") Section 1325, a court may only confirm a plan if
  - (1) The plan complies with the provisions of this chapter and with the other applicable provisions of this title;...
  - (2) any fee, charge, or amount required under [chapter 123 of title 28](#), or by the plan, to be paid before confirmation, has been paid;
  - (3) the plan has been proposed in good faith and not by any means forbidden by law;...
  - (5) with respect to each allowed secured [claim](#) provided for by the plan—
    - (A) the holder of such [claim](#) has accepted the plan;...
  - (7) the action of the debtor in filing the petition was in good faith;...
8. The Debtor has failed to comply with Section 1325(a)(7) of the Code as the petition was not filed in good faith because the Debtor is aware of the total liens the Association recorded against her real property and failed to list the Association as a secured creditor for the full amount (\$48,358.14) of the aforementioned recorded liens;
  - a. Furthermore, the Debtor cannot comply with the provisions Section 1325 of the Code because, upon information and belief, the Debtor is unemployed and, therefore, is not presently earning any wages.

Wherefore, for the reasons set forth above, the Association respectfully requests the Court to deny the Debtor's Plan or, in the alternative, direct the Debtor to amend the Plan to conform to the Association's objection.

**DESTRIBATS CAMPBELL  
STAUB & SCHROTH, LLC**  
*Attorneys for Creditor  
The Woods at Princeton Walk  
Condominium Association, Inc.*



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Anthony J. Destribats

Dated: May 31, 2019